

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES  
SEPTEMBER 18, 2012**

Town Of Andover  
36 Bartlett Street  
3<sup>rd</sup> Floor Conference Room  
7:45pm

**Commissioners in Attendance:**

Chairman Donald Cooper, Commissioner Fran Fink, Commissioner Alix Driscoll, Commissioner Jon Honea and Commissioner Kevin Porter. Staff Members present were Robert Douglas, Director of Conservation and Linda Cleary Conservation Agent.

**SCHEDULED ITEMS:**

**174 Jenkins Road**

**Present in Interest: John Ely**

*Staff Recommendation: Continue*

Public Meeting on the Request for Determination of Applicability filed to determine if the proposed removal of approximately 40 pine trees is subject to the Massachusetts Wetlands Protection Act.

Mr. Douglas presented this to the Commission. The Applicant is seeking to remove large white pines from his property and the border of Camp Evergreen. There is a concern that the trees could topple onto Camp Evergreen while the children are there or into the pool. There is a wetland and possibly a vernal pool in the area. The remaining maple trees will provide shade for the vernal pool. With the removal of such enormous trees, the area should reforest rather quickly.

John Ely informed the Commission that 1 of the pine fell during a recent storm. The trees are very close together on a flat area. Mr. Ely measured 100 feet from the property line to determine which trees should be removed.

Chairman Cooper asked that the stumps and ground cover remain.

Commissioner Driscoll would like the vernal pool to be certified in the future.

Commissioner Porter is concerned with the number of trees to be removed and how they will be removed. He fears that any equipment used to remove the trees will trample any saplings in the area.

Commissioner Fink requested a site visit. She is concerned that there will be not be enough of a canopy remaining to protect the vernal pool.

Site Visit September 21, 2012 at 8:15pm.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to continue to October 2, 2012 at 7:45pm, it was seconded by Commissioner Honea and unanimously approved.

**367 Lowell Street**

**Present in Interest: Bill Dufresne, Sean Szekely and He Wariz**

*Staff Recommendation: Continue*

Public Hearing on a Notice of Intent filed under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law for the proposed construction of a single family house and associated site work.

Mr. Douglas presented this to the Commission. The filing is under both the WPA and the By-Law. The project is within the Watershed Overlay Protection District, and meets our setbacks to the BVW. The majority of the house is outside the 100 foot buffer zone to the BVW. The existing pool and shed will be removed and the 25 foot markers will be moved to the 50 foot no disturb line. The dimensions will be added to the house block.

Bill Dufresne provided the Commission with the plan. The existing dwelling was subdivided by an ANR into 3 lots and a small portion of 2 Evergreen Lane. This is the construction of a single family home 75 feet from the wetland. There is a small portion of the house and small portion of the roof infiltration is within the 100 foot buffer. 8 soil pits have been dug for soils testing and this is a well drained site. The drainage from the driveway will sheet flow towards the wetland and infiltrate naturally.

Chairman Cooper asked if the tree line will be cut back as there are 2 tree lines on the plan submitted. Commissioner Honea asked if the trees along the new tree line will remain if they are big enough to put the house in danger of being hit should the trees fall over. He would like to know how tall the tallest remaining trees are within the 50 foot no disturb zone. He believes future homeowners should have this information.

Commissioner Porter asked if the Applicant planned on clearing the front of the lot as well. Mr. Szekely stated that trees would kept in the front of the lot as a buffer to Lowell Street.

Commissioner Fink wanted confirmation that no work would be done within the buffer in any of the lots. She believes there are tributaries to Haggetts Pond which puts this lot in the Watershed Protection Overlay District. The zoning is regulated by the Building Department. Staff will check with the building inspector to confirm the zoning for the lot.

The Applicant agreed to show the 50 foot no disturb markers on the plan, and dimensions added to the house block. The existing pool and patio will be lawn area.

Andy Minasian provided the GIS map showing a water body at the back of the lot which could be a vernal pool. Andy also checked the DEP website and found the DEP number had been issued with no comments.

Site visit is scheduled for September 21, 2012 at 9:00am.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to continue to October 2, 2012 at 8:15pm, it was seconded by Commissioner Driscoll and unanimously approved.

## **ACTION ITEMS:**

### **FISH BROOK NORTH**

**Present in Interest: Michael Jones and Liz Willey**

Vote to permit USGS Fish and Wildlife to do a wildlife survey in Fish Brook North. Dr. Jones informed the Commission that a regional analysis is being conducted which will include trapping both sides of Route 495. The timing will depend on the weather. This analysis may allow new polygons to be redrawn. Commissioner Honea asked to be included in the trapping. 20 traps will be set randomly and checked every 48 hours.

Commissioner Driscoll made a Motion to Approve, it was seconded by Commissioner Honea and unanimously approved.

## **CONSENT AGENDA:**

### **Minutes**

Approval of minutes for August 13, 2012 and August 21, 2012.

### **High Plain Road – Lot 14**

Issuance of a Certificate of Compliance.

### **4 Eagle Way**

Issuance of a Notification of Completion of Work Certificate.

Chairman Cooper recused himself from the Consent Agenda.

Commissioner Porter made a Motion to Approve the Consent Agenda, it was seconded by Commissioner Honea and unanimously approved.

## **LATE ITEMS THAT MAY REQUIRE A VOTE**

### **Monahan Lane, Heather Drive &**

### **Between Railroad Tracks and the Shawsheen River**

Vote to accept Conservation Restriction on AVIS Parcels – two on Monahan Lane, one on Heather Drive and one between the Railroad Tracks and the Shawsheen River.

The language needs to be approved by the State. AVIS needs to take possession of the property before the Conservation Commission and Selectman vote on the restriction.

**Rolling Green Update**

The Zoning Board of Appeals is undecided on this project. The Applicant has appealed the Order of Conditions to the DEP, there will be no site walk. Commissioner Fink recommended the Commission send comments to DEP.

**The next meeting will be held on October 2, 2012 at 7:45pm.**

The meeting was adjourned at 8:40pm by Motion of Commissioner Porter, seconded by Commissioner Honea and was unanimously approved.

Respectfully submitted by,

Lynn Viselli,  
Recording Secretary